

MEETING OF THE
OKLAHOMA WORKERS' COMPENSATION
COMMISSION

~APPEALS~

Friday May 19, 2017
9:00 a.m.
Commission Chambers
1915 N. Stiles Ave.
Oklahoma City, Oklahoma
www.wcc.ok.gov

MINUTES

Members present: Chairman Bob Gilliland, Commissioner Mark Liotta and Commissioner Russell.

Staff present to support the Commission: Lindsey Christopher and Dana Esparza.

CALL TO ORDER Presiding Appellate Officer, Chairman Gilliland

Call to order 9:00 a.m. by Chairman Gilliland, Presiding Appellate Officer.

ROLL CALL Presiding Appellate Officer, Chairman Gilliland

After the roll call was taken, Chairman Gilliland announced the presence of a Quorum and the Statement of Compliance with the Open Meeting Act was read.

NOTICE OF COMPLIANCE..... Dana Esparza

STATEMENT OF OKLAHOMA OPEN MEETING LAW
COMPLIANCE

Notice of this Regular Meeting was filed with the Secretary of State's office on Thursday, November 3, 2016 at 12:02 p.m., in compliance with the Open Meeting Act.

The Agenda was posted at 9:27 a.m. on Tuesday, May 17, 2017, more than 24 hours in advance of the meeting, in compliance with the Open Meeting Act. It was posted on the Commission website and at 1915 North Stiles, the Commission's principal office.

MINUTES:

- The drafted Minutes of the Regular Meeting of April 21, 2017 were considered for approval.

Presiding Appellate Officer Chairman Gilliland presented the minutes of the April 21, 2017 Regular Meeting for approval.

Motion: Commissioner Liotta made a motion to approve the minutes of the April 21, 2017 Regular Meeting.

Second: Commissioner Russell

Those Voting Aye: Presiding Appellate Officer Chairman Gilliland, Commissioner Liotta and Commissioner Russell.

THE MOTION CARRIED: MINUTES APPROVED

Appeal Hearings before the Commission En Banc from Orders Issued by the Commission's Administrative Law Judges

Shelia Twyman v. Kibois Community Action Foundation Inc., & Compsource Mutual Ins. Co.(FKA Compsource Oklahoma), File # CM2014-11631A

Claimant filed an appeal from the order issued by Administrative Law Judge Egan. Terrel B. Doremus is the attorney of record for the Claimant and Jennifer Ahrend is the attorney of record for the Respondent.

Counsel for the Claimant announced agreement to continue the oral argument and stated that Respondent's attorney had no objection. There being no objection, Presiding Appellate Officer Chairman Gilliland granted the continuance until the June 2, 2017 docket.

APPEAL CONTINUED

Lester Shultz v. Ponca City Discount Foods RPCS Inc., (Own Risk #19964), File #CM2015-03659A

Claimant filed an appeal from the order issued by Administrative Law Judge Curtin. James G. Devinney represented the Claimant and R. Jay McAtee represented the Respondent.

Motion: After reviewing the record and deliberating, Presiding Appellate Officer Chairman Gilliland moved to affirm the Administrative Law Judge's order and issue an order authorizing the Commission's Presiding Appellate Officer to sign and file an order on behalf of the Commission.

Second: Commissioner Russell

Those Voting Aye: Presiding Appellate Officer Chairman Gilliland, and Commissioner Liotta and Commissioner Russell.

THE MOTION CARRIED: ALJ ORDER AFFIRMED

Nathaniel Mace v. Future Environmental Inc. & Great Plains Coca Cola Bottling Co., (Own Risk #17344) File #CM2015-05861H

Respondent filed an appeal from the order issued by Administrative Law Judge McMillin. Brad W. Wicker represented the Claimant and Robert Powell represented the Respondent.

Motion: After hearing the oral argument of counsel and deliberating, Commissioner Liotta moved to affirm the Administrative Law Judge’s order and authorize the Commission’s Presiding Appellate Officer to sign and file an order on behalf of the Commission.

Second: Presiding Appellate Officer Chairman Gilliland

Those Voting Aye: Presiding Appellate Officer Chairman Gilliland and Commissioner Liotta.

Those Voting Nay: Commissioner Russell

THE MOTION CARRIED: ALJ ORDER AFFIRMED

Marcella Ayisi v. Sequel Youth & Family Services LLC & Travelers Indemnity Co. of America, File #CM2015-06146X

Respondent filed an appeal from the order issued by Administrative Law Judge Egan. Jeffrey M. Cooper represented the Claimant and Mia C. Rops represented the Respondent.

Motion: After reviewing the record and deliberating, Commissioner Russell moved to affirm the Administrative Law Judge's order and issue an order authorizing the Commission’s Presiding Appellate Officer to sign and file an order on behalf of the Commission.

Second: Commissioner Liotta

Those Voting Aye: Presiding Appellate Officer Chairman Gilliland, and Commissioner Liotta and Commissioner Russell.

THE MOTION CARRIED: ALJ ORDER AFFIRMED

Debbie Sue Hoskins v. Chelsea Public Schools & Compsource Mutual Ins. Co., (FKA Compsource Oklahoma) File #CM2016-01241F

Claimant filed an appeal from the order issued by Administrative Law Judge Inhofe. Ryan M. Roberts & Cyrus Nathaniel Lawyer are the attorneys of record for the Claimant and Kevin D. Berry is the attorney of record for the Respondent.

Claimant's attorney sent an email to the Commission requesting continuation of this oral argument. There being no objection, the continuation was granted therefore no argument was presented.

APPEAL CONTINUED

In the Matter of the Death of Brian A. Lott, Taniyah Lott v. Supported Community Lifestyles Inc., & Compsource Mutual Ins. Co. (FKA Compsource Oklahoma) File #CM2015-08491X

Respondent filed an appeal from the order issued by Administrative Law Judge Sommer. Robert R. Robles represented the Claimant and Dawson Kester the Respondent.

Motion: After hearing the oral argument of counsel and deliberating, Presiding Appellate Officer Chairman Gilliland moved to affirm the Administrative Law Judge's order and instruct Commission Counsel or other staff member to draft a proposed order with findings of fact and conclusions of law for consideration at a future meeting.

Second: Commissioner Russell

Those Voting Aye: Presiding Appellate Officer Chairman Gilliland, Commissioner Liotta and Commissioner Russell.

THE MOTION CARRIED: ALJ ORDER AFFIRMED

Stephen Lewis v. City of Ardmore (Own Risk #11905) File #CM2016-01052H

Claimant filed an appeal from the order issued by Administrative Law Judge Egan. Richard A. Bell is the attorney of record for the Claimant and Charles G. Braun is the attorney of record for the Respondent.

Claimant's attorney sent an email to the Commission requesting continuation of this oral argument. There being no objection, the continuation was granted therefore no argument was presented.

APPEAL CONTINUED

Announcements

Commission's next regular business meeting is Thursday, June 15, 2017.
Commission's next meeting regarding Appeals is scheduled for Friday,
June 2, 2017.

ADJOURNMENT

Motion: Presiding Appellate Officer Chairman Gilliland moved to adjourn the meeting at approximately 12:02 p.m.

Second: Commissioner Russell

Those Voting Aye: Presiding Appellate Officer Chairman Gilliland, Commissioner Liotta and Commissioner Russell.

THE MOTION CARRIED: THE MEETING WAS ADJOURNED.